Although there are few cases involving this principle, the decision seems to be correct. It was held, in *Love* v. *People*, 160 Ill. 501, where a detective by a previously arranged plan with the owner of a building induced certain persons to enter the building and take money from a safe, with the sole intent of entrapping them, that they could not be convicted of crime. In his opinion on the case under consideration, the judge relies on *Ford* v. *City of Denver*, 10 Colo. App. 500, where it was held public policy will not permit a municipality to derive profit from unlawful acts which are deliberately instigated by its officers. To hold that a town attorney can involve a person in a violation of an ordinance, that he may pursue him for a penalty would seem a most pernicious doctrine.

STATE APPROPRIATION TO NORMAL UNIVERSITY—CONSTITUTIONALITY—BOEHM V. HERTZ, 54 N. E. 973 (Illinois).—The Constitution of Illinois provides: "The State shall never pay, assume or become responsible for the debts or liabilities of, or in any manner give, loan or extend its credit to or in aid of, any public or other corporation, association or individual." The Legislature passed an act making an appropriation "for the ordinary and other expenses of Illinois State Normal University and for the completion and equipment of its gymnasium building." One Boehm, a taxpayer, brought a bill praying for an injunction restraining Hertz, the State treasurer, from paying any money appropriated under the act. *Held*, act constitutional, bill dismissed.

The corporation was in existence prior to the adoption of the Constitution and had received the interest of a fund called the College and University Fund, provided for in the act for the admission of the territory of Illinois as a State. Any subsequent limitation of its powers to do so must be found expressed or arising by necessary implication in the Constitution. They are not so found, and the corporation may receive. May the State give? The Constitution also provides that "The General Assembly shall provide a thorough and efficient system of free schools." There is no limitation in the Constitution as to the agencies the State shall adopt in providing this system of free schools. *Speight* v. *People*, 87 Ill. 600. Normal schools are public institutions which the State has a right to establish and maintain for the purpose of carrying out the policy of the State with reference to free schools. *Burr* v. *City of Carbondale*, 76 Ill. 455.

SET OFF—JUDGMENT—GROUNDS OF OBJECTION—BACON V. REICH, 80 N. W. 278 (Mich.).—One being sued on a contract which he made with a corporation, since insolvent, by one to whom the corporation had assigned the claim, can set off a judgment obtained by him against the corporation, for a breach of the contract, in proceedings instituted by him subsequent to the assignment by the corporation of the claim against him, where he had no knowledge of the assignment when he took his judgment.

That a claim becomes merged in the judgment is elementary. According to the more recent cases this principle is supported on the grounds that the allowance of a new suit is a superfluous and vexatious encouragement to litigation. injurious to the defendant, and of no benefit to the plaintiff. 15 *Am. & Eng. Enc. Law*, 339, and cases cited. This doctrine, however, if vigorously applied, may work hardship and injustice, and it seems to be lawful to disregard it in some cases. *Wilson* v. *Tunstall*, 6 Tex. 221; *Wood* v. *Gamble*, 11 Cush. 8; *Railroad Company* v. *McHenry*, 17 Fed. 414; *Ferrall* v. *Bradford*, 2 Fla. 508; *Clark* v. *Rowling*, 3 N. Y. 216; *Stevens* v. *Damon*, 29 Vt. 521; *Cramer* v. *Manufacturing Co.*, 93 Fed. 636; *Fox* v. *Althorp*, 40 Ohio St. 32.

STREET RAILWAY—LICENSE—RECEIVERS—IMPROVEMENT OF MORTGAGED PROPERTY—ROCHESTER TRUST AND SAFE DEPOSIT CO. V. ROCHESTER AND I. R. CO. ET AL., 60 N. Y. Sup. 409 (Supreme Ct.).—An electric railway